

**Minutes of the City of Frederick  
Mayor and Board of Aldermen Regular Meeting**

October 3, 2019  
7:00 p.m.  
City Hall Boardroom

- I. Mayor Michael O'Connor presided. Present were Aldermen Kelly Russell, Derek Shackelford, and Roger Wilson and Alderwoman Donna Kuzemchak. Also present were Assistant City Attorney Rachel Depo and Legislative Clerk Phyllis Hane.

Alderman Ben MacShane joined the meeting at 7:21 p.m.

- II. The Mayor led the Pledge of Allegiance.

- III. There was no invocation.

- IV. The Mayor presented a proclamation in recognition of the fortieth anniversary of Community Living, Inc.

- V. The minutes of the September 5, 2019 Mayor and Board of Aldermen Regular Public Meeting and the September 19, 2019 Mayor and Board of Aldermen Closed Session were previously distributed. On a motion made by Alderman Wilson and seconded by Alderman Shackelford the Board voted 4-0 to approve the minutes of the September 5, 2019 Regular Public Meeting. On a motion made by Alderman Shackelford and seconded by Alderwoman Kuzemchak the Board voted 4-0 to approve the minutes of the September 19, 2019 Closed Session.

- VI. The Mayor announced that a Closed Session had been held on September 19, 2019 and read into the record a summary of that session, which is attached hereto and made a part of these minutes as required under Section 3-306(c)(2) of the General Provisions Article of the Annotated Code of Maryland.

- VII. The Mayor announced that the City has received a Petition for Annexation from Winpenny Tell, LLC for those contiguous parcels of land containing 79.168 acres, more or less, being generally known as the "Winpenny Tell Property" located along Winpenny Drive, east of Yellow Springs Road, Frederick, Maryland. The Legal Department has verified that the signatures comply with state law and has given the applicant notice to prepare an appropriate resolution for introduction at a future public meeting of the Mayor and Board of Aldermen in accordance with the Land Management Code.

The Mayor also commented on how pleased he was to see a large crowd in attendance at the meeting.

- VIII. During Aldermanic comments, Alderman Shackelford announced the upcoming AARCH gala to be held at the Delaplaine. He also expressed his appreciation for the recognition of the Community Living organization.

- IX. There were no general public comments.

X. There were no consent agenda items.

XI. Public Hearing

The Mayor announced that the order of the Public Hearing items would be changed, so that item XI.3 would be heard before item XI.2.

1. On a motion made by Alderwoman Kuzemchak and seconded by Alderman Wilson the Board approved 4-0 Ordinance G-19-29 to amend Chapter 22, Article VI of the Frederick City Code relating to a ban on shareable, dockless electric low speed scooters. There were no public comments.
3. On a motion made by Alderman Russell and seconded by Alderwoman Kuzemchak the Board approved 3-0, with Alderman Wilson recused, a Payment in Lieu of Taxes (PILOT) Agreement with Frederick County, Maryland and 400 Church Street Owner, LLC for the housing project located at 400 East Church Street and authority for the Mayor to make any changes to the agreement that are required for HUD or CDA funding. There were no public comments.
2. On a motion made by Alderwoman Kuzemchak and seconded by Alderman Russell the Board approved 4-0-1, with Alderman MacShane abstaining, Ordinance G-19-30 to revise the Code of the City of Frederick, Chapter 22, Article 5 entitled "Operation of Horse Drawn Vehicles for Hire", Sec. 22-60 relating to hours worked by horses, with the following revision: Sec. 22-60(f) is revised to read
  - (f) Hours. [A driver or operator may not allow a horse to work for more than two (2) hours before receiving a thirty (30) minute break or for more than six (6) hours per day.]
    - (1) For purposes of this subsection, a horse is deemed to be working whenever it is attached to a horse-drawn vehicle and pulling passengers or goods.
    - (2) A driver or operator must provide each horse with a minimum of 30 minutes of rest in any two hour period.
    - (3) During a rest period, two wheels of the vehicle must be chocked in front and behind and a brake must be set if available.
    - (4) A driver or operator may not allow a horse to work for a total of more than 6 hours per day.

Public comments were received.

The Mayor called for a ten minute recess at 8:55 p.m. The meeting reconvened at 9:05 p.m.

XII. There were no appointments.

XIII. During Aldermanic comments and new business, Alderman Russell thanked everyone for their thoughtful comments.

Alderman Wilson thanked everyone for attending and for their comments.

Alderwoman Kuzemchak announced the upcoming AARCH Living Treasure Banquet and invited everyone to attend.

XIV. The Mayor had no additional comments.

XV. There were no committee reports.

XVI. There were no director reports.

XVII. There were no additional public comments.

There being no further official business, the meeting was adjourned at 10:28 p.m.

Respectfully submitted,  
Phyllis Hane  
Legislative Clerk